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June 15, 2022

**Via ECF**

Hon. Gabriel W. Gorenstein, U.S.M.J.  
U.S. District Court (S.D.N.Y.)  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**MEMORANDUM ENDORSED**

**Re: Letter Motion to Compel or Enforce Discovery Order  
*Doe v. Gooding, Jr.* (Case No.: 1:20-cv-06569 (PAC))**

Your Honor,

This letter is submitted on behalf of the plaintiff Jane Doe (“Plaintiff”) with respect to the above-captioned matter seeking to compel Defendant to meet face-to-face to discuss settlement, or otherwise, to enforce so much of the Court’s order dated February 9, 2022 directing same.

On February 9, 2022, the Court entered a revised discovery schedule which included a directive that the parties “meet face-to-face to discuss settlement no later than [June 14, 2022].” (ECF #62, at pg. 2.) On May 25, 2022, Plaintiff’s counsel (the undersigned Mr. Wolnowski) emailed Defendant’s counsel of record (Mr. Ed Sapone) asking if there was a good day/ time in order to satisfy so much of the Court’s February 9, 2022 Order in that respect. Mr. Sapone never responded.

On June 9, 2022, Mr. Wolnowski again emailed Mr. Sapone asking if there was a good day/ time to meet face-to-face so as to satisfy so much of the Court’s February 9, 2022 Order. Mr. Sapone never responded, however, on Friday, June 10, 2022, Mr. Wolnowski had occasion to speak with Mr. Sapone on an unrelated issue and raised the topic of the Court’s order and the parties’ obligation to comply with it. Mr. Sapone advised Mr. Wolnowski to email him that coming Monday, June 13, 2022, and he would reply with available times for the face-to-face meeting. As such, at 6:35 AM ET on Monday, June 13, 2022, Mr. Wolnowski emailed Mr. Sapone relating to setting up a face-to-face meeting so as to fulfill the Court’s directive. Mr. Sapone never responded.

Given that it is clear that Defendant will not comply with the Court’s order without Plaintiff seeking court intervention, Plaintiff now seeks to compel action or to otherwise enforce so much of the February 9, 2022 order directing the parties to meet face-to-face.

Plaintiff and counsel thank the Court for its attention to this matter.

Respectfully submitted,



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Casey J. Wolnowski, Esq.  
*Attorney for Plaintiff*

cc: Defendant's counsel (*via ECF*)

Denied. Emails can sometimes be unintentionally overlooked. A friendly phone call to opposing counsel in this situation is preferable to involving the Court.

So Ordered.



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GABRIEL W. CORENSTEIN  
United States Magistrate Judge

June 15, 2022